

9/10/04

1636/ \$

PTO/SB/17 (18-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$ 180.00

Complete if Known

| | |
|----------------------|-----------------|
| Application Number | 09/647,841 |
| Filing Date | October 5, 2000 |
| First Named Inventor | Ilga Winicov |
| Examiner Name | Baum, Stuart F. |
| Art Unit | 1636 |
| Attorney Docket No. | 112624.00020 |

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

17-0055

Quarles & Brady LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity | | Small Entity | | Fee Description | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1001 | 770 | 2001 | 385 | Utility filing fee | |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | | | | (\$ 0.00 |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | Extra Claims | Fee from below | Fee Paid |
|--------------------|--------------|----------------|----------|
| Total Claims | -20* = | X | 0.00 |
| Independent Claims | -3** = | X | 0.00 |
| Multiple Dependent | | | |

| Large Entity | | Small Entity | | Fee Description | |
|--------------|----------|--------------|----------|--|----------|
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | | |
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 | |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 | |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid | |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent | |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | | | (\$ 0.00 |

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity

Small Entity

| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description | Fee Paid |
|----------|----------|----------|----------|--|----------|
| 1051 | 130 | 2051 | 65 | Surcharge - late filing fee or oath | |
| 1052 | 50 | 2052 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 1053 | 130 | 1053 | 130 | Non-English specification | |
| 1812 | 2,520 | 1812 | 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 1804 | 920* | 1804 | 920* | Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 | 1,840* | Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 | 55 | Extension for reply within first month | |
| 1252 | 420 | 2252 | 210 | Extension for reply within second month | |
| 1253 | 950 | 2253 | 475 | Extension for reply within third month | |
| 1254 | 1,480 | 2254 | 740 | Extension for reply within fourth month | |
| 1255 | 2,010 | 2255 | 1,005 | Extension for reply within fifth month | |
| 1401 | 330 | 2401 | 165 | Notice of Appeal | |
| 1402 | 330 | 2402 | 165 | Filing a brief in support of an appeal | |
| 1403 | 290 | 2403 | 145 | Request for oral hearing | |
| 1451 | 1,510 | 1451 | 1,510 | Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 | 55 | Petition to revive - unavoidable | |
| 1453 | 1,330 | 2453 | 665 | Petition to revive - unintentional | |
| 1501 | 1,330 | 2501 | 665 | Utility issue fee (or reissue) | |
| 1502 | 480 | 2502 | 240 | Design issue fee | |
| 1503 | 640 | 2503 | 320 | Plant issue fee | |
| 1460 | 130 | 1460 | 130 | Petitions to the Commissioner | |
| 1807 | 50 | 1807 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 | 180 | Submission of Information Disclosure Stmt | 180.00 |
| 8021 | 40 | 8021 | 40 | Recording each patent assignment per property (times number of properties) | |
| 1809 | 770 | 2809 | 385 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 770 | 2810 | 385 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 770 | 2801 | 385 | Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 | 900 | Request for expedited examination of a design application | |

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 180.00

SUBMITTED BY

(Complete if applicable)

| | | | | | |
|-------------------|-------------------|-----------------------------------|-------------------|-----------|--------------|
| Name (Print/Type) | Barbara J. Luther | Registration No. (Attorney/Agent) | 33,954 | Telephone | 602-230-5502 |
| Signature | Barbara J. Luther | Date | September 8, 2004 | | |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

1855895

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Winicov, Ilga

Serial No.: 09/647,841

Filed: October 5, 2000

For: *EXPRESSION OF ALFINI AND METHODS FOR
PRODUCING TRANSGENIC PLANTS HAVING
INCREASED ROOT GROWTH AND ROOT
SPECIFIC GENE ACTIVATION*

Art Unit: 1638

Examiner: Baum, Stuart F.

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. § 1.97

MAIL STOP AMENDMENT

Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

Applicant hereby brings to the attention of the Examiner the documents noted on the accompanying Form PTO-1449. This Information Disclosure Statement is being filed after the mailing date of a first Office Action on the merits.

It is respectfully requested that the information cited herein be expressly considered during the prosecution of this application and made of record on any patent to issue therefrom. Inclusion of a reference on the enclosed 1449 is not to be construed as indicating the reference is prior art. Provision of this Information Disclosure Statement is not to be taken as evidence that a search has been conducted.

The Commissioner is hereby authorized to charge any cost that may be due to Deposit Account No. 17-0055.

Respectfully submitted,
QUARLES & BRADY STREICH LANG, LLP

09/13/2004 CNGUYEN 00000017 170055 09647841

01 FC:1806 180.00 DA

September 8, 2004

By: Barbara J. Luther
Barbara J. Luther, Reg. No. 33,954

Attorney Docket No. 112624.00020

Address all correspondence to:

Barbara J. Luther
One Renaissance Square
Two North Central Avenue
Phoenix, AZ 85004
Telephone: 602-230-5502
Facsimile: 602-229-5690
Email: bluther@quarles.com



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Complete if Known

(Use as many sheets as necessary)

| | | | |
|-------|---|----|---|
| Sheet | 1 | of | 3 |
|-------|---|----|---|

| | |
|------------------------|-----------------|
| Application Number | 09/647,841 |
| Filing Date | October 5, 2000 |
| First Named Inventor | Ilgá Winicov |
| Art Unit | 1638 |
| Examiner Name | Baum, Stuart F. |
| Attorney Docket Number | 112624.00020 |

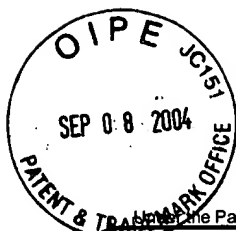
U. S. PATENT DOCUMENTS

[illegible]

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ² Applicant's unique citation designation number (optional). ³ See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁷ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

| | | | |
|---|------------------------|--------------------------|-----------------|
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary) | | Complete if Known | |
| | | Application Number | 09/647,841 |
| | | Filing Date | October 5, 2000 |
| | | First Named Inventor | Ilga Winicov |
| | | Art Unit | 1638 |
| | | Examiner Name | Baum, Stuart F. |
| Sheet 2 of 3 | Attorney Docket Number | 112624.00020 | |

| OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS | | | |
|---|-----------------------|---|----------------|
| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | A | JOHN W. SCHIEFELBEIN, Building a Root: The Control of Patterning and Morphogenesis during Root Development, The Plant Cell, July 1997, 1089-1098, Vol 9, American Society of Plant Physiologists | |
| | B | WOUT BOERJAN, supperroot, a Recessive Mutation in Arabidopsis, Confers Auxin Overproduction, The Plant Cell, Sept. 1995, 1405-1419, Vol 7, American Society of Plant Physiologists | |
| | C | ROBERT A. CREELMAN, Water Deficit and Absciscic Acid Cause Differential Inhibition of Shoot versus Root Growth in Soybean Seedlings, Plant Physiol., 1990, 205-214, Vol. 93 | |
| | D | RAUL B. LARSEN, AI Inhibits Both Shoot Development and Root Growth in als3, an AI-Sensitive Arabidopsis Mutant, Plant Physiol., 1997, 1207-1214, Vol. 114. | |
| | E | M.R. FOOLAD, Mapping salt-tolerance genes in tomato (Lycopersicon esculentum) using trait-based marker analysis, Theor Appl Genet, 1993, 184-192, Vol. 87. | |
| | F | ILGA WINICOV, cDNA Encoding Putative Zinc Finger Motifs from Salt-Tolerant Alfalfa (Medicago sativa L.) Cells, Plant Physiol., 1993, 681-682, Vol. 102. | |
| | G | CE DEUTCH, Post-transcriptional regulation of a salt-inducible alfalfa gene encoding a putative chimeric proline-rich cell wall protein, Plant Mol Biol., 1995, (ABSTRACT ONLY) | |
| | H | ILGA WINICOV, Transgenic Overexpression of the Transcription Factor Alfin1 Enhances Expression of the Endogenous MsPRP2 Gene in Alfalfa and Improves Salinity Tolerance of the Plants, Plant Physiology, June 1999, 473-480, Vol. 120 | |
| | I | DHUNDY R. BASTOLA, Alfin1, a novel zinc-finger protein in alfalfa roots that binds to promoter elements in the salt-inducible MsPRP2 gene, Plant Molecular Biology, 1998, 1123-1135, Vol. 38, Kluwer Academic Publishers, Netherlands | |
| | J | FJ RAUSCHER 3rd, Binding of the Wilms' tumor locus zinc finger protein to the EGR-1 consensus sequence, Science, Nov. 1990, 1259-1262, Vol. 4985 (ABSTRACT ONLY) | |

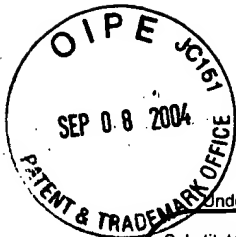
| | |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known

| | |
|------------------------|-----------------|
| Application Number | 09/647,841 |
| Filing Date | October 5, 2000 |
| First Named Inventor | Ilgia Winicov |
| Art Unit | 1638 |
| Examiner Name | Baum, Stuart F. |
| Attorney Docket Number | 112624.00020 |

Sheet 3 of 3

OTHER PRIOR ART—NON PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|--------------------|-----------------------|---|----------------|
| | K | YURI T. YAMAMOTO, Characterization of cis-Acting Sequences Regulating Root-Specific Gene Expression in Tobacco, The Plant Cell, April 1991, 371-382, Vol. 3, American Society of Plant Physiologists | |
| | L | E. ADAM, Transcription of tobacco phytochrome-A genes initiates at multiple start sites and requires multiple cis-acting regulatory elements, Plant Mol Biol., Dec. 1995, 983-993 Vol. 29 (ABSTRACT ONLY) | |
| | M | GA MIGNERY, Molecular characterization of the patatin multigene family of potato, Gene, 1988, 27-44, Vol. 62(1). (ABSTRACT ONLY) | |
| | N | F. SATO, Ethylene-induced gene expression of osmotin-like protein, a neutral isoform of tobacco PR-5, is mediated by the AGCCGCC cis-sequence, Plant Cell Physiol., Apr. 1996 249-255 Vol. 37(3) (ABSTRACT ONLY) | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

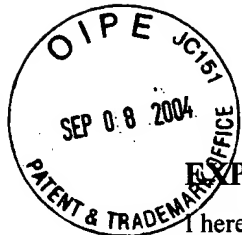
| | |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

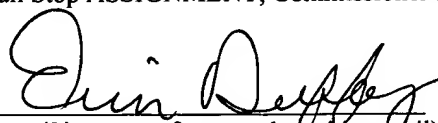


EXPRESS MAIL CERTIFICATE: EL988603609US

I hereby certify that this correspondence listed below is being deposited with the United States Postal Service on the date set forth below as Express Mail in an envelope addressed to: Mail Stop ASSIGNMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Signature
and Deposit: September 8th, 2004

By:


(Signature of person depositing mail)

ERIN DUFFY
(Typed/Printed Name)

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. 1.10

In re Application of: WINICOV, Ilga

Serial No.: 09/647,841

Filed: October 5, 2000

For: *EXPRESSION OF ALFINI AND METHODS FOR
PRODUCING TRANSGENIC PLANTS HAVING
INCREASED ROOT GROWTH AND ROOT SPECIFIC
GENE ACTIVATION*

Attorney Docket No.: 112624.00020

Group Art Unit: 1638

Examiner: Baum, Stuart F.

Mail Stop Amendment
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Type of Filing:

- 1) Response to Notice of Non-Compliant Amendment dated 8/25/04
- 2) Information Disclosure Statement
- 3) Form PTO-1449 (3 pages)
- 4) References (14)
- 5) Fee Transmittal
- 6) Return receipt postcard